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Attorneys for Defendant
VITAMIN SHOPPE INDUSTRIES, INC.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

GRADY JACKSON and KELLEY
ALEXANDER, in their representative capacity
pursuant to Cal. Bus. & Prof. Code §§17203,
17535 and Cal. Code Civ. Pro. §§ 382, 1021.5,

Plaintiffs,

vs.

BALANCED HEALTH PRODUCTS, INC., a
Delaware Corporation, NIKKI HASKELL, an
individual, GENERAL NUTRITION
CORPORATION, a Pennsylvania Corporation,
GENERAL NUTRITION CENTERS, INC., a
Pennsylvania Corporation; GREAT EARTH
COMPANIES INC., a Delaware Corporation;
VITAMIN SHOPPE INDUSTRIES, Inc. a New
York Corporation; and, DOES 1-50, inclusive,

Defendants.

Case No. C 08-05584-CW

**STIPULATION AND ORDER TO
EXTEND TIME FOR DEFENDANTS TO
RESPOND TO FIRST AMENDED
COMPLAINT**

STIPULATION TO EXTEND TIME TO RESPOND TO COMPLAINT; [PROPOSED] ORDER
JACKSON V. BALANCED HEALTH PRODUCTS, INC., ET AL.

CASE NO. C 08-05584-CW

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiffs Grady Jackson and Kelley Alexander ("Plaintiffs") and Defendants Balanced Health Products, Inc., Nikki Haskell, General Nutrition Corporation, General Nutrition Centers, Inc., and The Vitamin Shoppe Industries, Inc. (collectively, "Defendants"), through their respective counsel, as follows:

The parties have an early settlement conference before Magistrate Judge Spero scheduled for April 1 and 2. Currently, the responses to the First Amended Complaint are to be filed on March 23, 2009. In light of the scheduled Settlement Conference, the Parties have stipulated and respectfully request that the Court order responses to be filed no later than April 9, 2009.

Dated: March 19, 2009

PINNACLE LAW GROUP, LLP

HOLME, ROBERTS & OWEN LLP

By: /s/ Eric Farber
Eric J. Farber
Attorneys for Plaintiffs
GRADY JACKSON and KELLEY
ALEXANDER

By: /s/ Katherine Keating
Roger R. Myers
Adam Brezine
Katherine Keating
Attorneys for Defendant
VITAMIN SHOPPE INDUSTRIES, INC.

Special Appearance:

MCGUIRE WOODS LLP

By: /s/ David Gernsbacher
David Gernsbacher (Application for
Admission Pending)
Specially Appearing for Defendants
BALANCED HEALTH PRODUCTS, INC.
and NIKKI HASKELL

By: /s/ Sidney Kanazawa
Sidney K. Kanazawa
Attorneys for Defendants
GENERAL NUTRITION
CORPORATION and GENERAL
NUTRITION CENTERS, INC.

PURSUANT TO STIPULATION, IT IS SO ORDERED:



United States District Judge

Dated: 3/23/09

STIPULATION TO EXTEND TIME TO RESPOND TO COMPLAINT; [PROPOSED] ORDER
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1 ATTESTATION OF CONCURRENCE IN FILING

2 Pursuant to N.D. Cal. General Order No. 45, section 45 X(B), Katherine Keating hereby
3 attests that concurrence in the filing of this stipulation and proposed order has been obtained from
4 Counsel for the non-filing parties.

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6 HOLME ROBERTS & OWEN LLP

7 By: /s/ Katherine Keating
8 Katherine Keating

9 Attorneys for Vitamin Shoppe Industries, Inc.
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